

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Mar 10, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ALLAH©, SP/C, 5% NATION OF  
ISLAM,

Plaintiff,

v.

BRUCE A. SPANNER, TEDDY  
CHOW, MELISA FARIS, RUBY A.  
OCHOA, PEYMAN YOUNESI,  
DONALD R. HOLBROOK GENIE  
RANDOLPH, MELANIE PERKINS,  
THOMAS O. RICE, STANLEY A.  
BASTIAN, MARSHA J. PECHMAN,  
CHERYL STRANGE, and ALL JOHN  
AND JANE DOES NOT YET  
MENTIONED,

Defendants.

No. 4:21-cv-05130-SMJ

**ORDER DENYING RULE 60(b)  
MOTION FOR RELIEF FROM  
JUDGMENT AND PETITION FOR  
AN EMERGENCY WRIT OF  
HABEAS CORPUS**

By Order filed December 3, 2021, the Court denied Plaintiff leave to proceed *in forma pauperis* and dismissed this case for failure to comply with the filing fee requirements of 28 U.S.C. § 1914. On February 15, 2022, Plaintiff filed a document titled, “F.R.C.P. Rule 60(b) Relief From Judgment Or Order, Bar Order Is A Fraud And Deceitfully Done By Marsha J. Peckman, Washington State Patrol Have No Record Of Convictions.” ECF No. 27.

ORDER DENYING RULE 60(b) MOTION FOR RELIEF FROM JUDGMENT AND  
PETITION FOR AN EMERGENCY WRIT OF HABEAS CORPUS – 1

1 In his Motion, Plaintiff states, “Allah©, Aggrieved Party, moves this court  
2 with F.R.C.P. Rule 60(b) Relief From Judgment or Order, Bar Order is Fraud and  
3 Deceitfully Done by Marsha J. Peckman, et al., who put another man’s name in the  
4 Bar Order, knowing Allah has never Filed any document with the name ‘I Power  
5 Allah’, which Marsha J. Pechman, et al, in the Western District Seattle knew,  
6 Allah© is being Falsely Barred and the Washington State Patrol has no Record of a  
7 conviction disposition pursuant to Superior Court Admin. Rule I. Report of  
8 Disposition, matter of Fact according to the Public Disclosure Allah© has no  
9 criminal history.” ECF No. 27 at 1 (as written in original).

10 The Honorable Marsha J. Peckman did not preside over this case. To the  
11 extent Plaintiff is challenging this Court’s finding that he was precluded from  
12 proceeding *in forma pauperis*, ECF No. 24 at 2–4, he neither appealed the dismissal  
13 of this action, nor refuted the Court’s finding that he filed three or more actions that  
14 were dismissed as frivolous, malicious or for failure to state a claim upon which  
15 relief may be granted. *See* ECF No. 19 at 2–3.

16 A motion for reconsideration may be reviewed under either Federal Rule of  
17 Civil Procedure 59(e) (motion to alter or amend a judgment) or 60(b) (relief from  
18 judgment). *Sch. Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993). “A  
19 district court may properly reconsider its decision if it ‘(1) is presented with newly  
20 discovered evidence, (2) committed clear error or the initial decision was manifestly

1 unjust, or (3) if there is an intervening change in controlling law.” *Smith v. Clark*  
2 *Cty. Sch. Dist.*, 727 F.3d 950, 955 (9th Cir. 2013) (*quoting Sch. Dist. No. 1J*, 5 F.3d  
3 at 1263). “There may also be other, highly unusual, circumstances warranting  
4 reconsideration.” *Sch. Dist. No. 1J*, 5 F.3d at 1263.

5 Plaintiff has not presented newly discovered evidence, demonstrated that the  
6 Court committed clear error, or shown that the Order dismissing this action was  
7 manifestly unjust. There has also been no intervening change in controlling law,  
8 and Plaintiff pleads no other circumstances warranting reconsideration. *Id.*  
9 Accordingly, Plaintiff’s Rule 60(b) Motion for Relief from Judgment, ECF No. 27  
10 is denied.

11 On February 25, 2022, Plaintiff submitted another document captioned,  
12 “Petition For An Emergency Writ of Habeas Corpus, Request For Bond Hearing,  
13 Washington State Patrol Have No Record of Conviction(s) From King County Or  
14 Franklin County,” ECF No. 28. On March 4, 2022, Plaintiff filed a document  
15 captioned, “Allah© Demands The Defendant’s To Cease And Desist Collections  
16 Activities Prior To Validation Of Purported Debt, Pursuant To Fair Debt  
17 Collections Practices Act 15 USC § 1601, 1692 et sez., And To Prove Convictions  
18 Through The Washington State Patrol Records Or Release Allah© And Return All  
19 Money Taken,” and naming several different Defendants. The Court finds  
20 Plaintiff’s submissions warrant no further consideration by the Court and denies


1 them as moot.

2 Accordingly, **IT IS HEREBY ORDERED:**

- 3 1. Plaintiff's Rule 60(b) Motion for Relief from Judgment, **ECF No. 27**,  
4 is **DENIED**.
- 5 2. Plaintiff's Petition For An Emergency Writ of Habeas Corpus, Request  
6 for Bond Hearing, **ECF No. 28**, is **DENIED AS MOOT**.
- 7 3. Plaintiff's "Demand," **ECF No. 29**, is **DENIED AS MOOT**.
- 8 4. The file shall **REMAIN** closed. The Court shall entertain no further  
9 documents in this case, other than a notice of appeal of the Court's  
10 ruling regarding the Rule 60(b) Motion for Relief from Judgment, and  
11 the Clerk's Office shall note no further motions or petitions for hearing  
12 in this case.

13 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
14 provide a copy to *pro se* Plaintiff.

15 **DATED** this 10<sup>th</sup> day of March 2022.

16   
17 SALVADOR MENDOZA, R.  
United States District Judge